

### **REMARKS**

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 1-63 were pending prior to the Office Action. Claims 21-33 and 43-56 have been withdrawn from consideration as being directed to non-elected species. Claims 58, 60, and 63 have been canceled through this Reply. Therefore, claims 1-20, 34-42, 57, 58-59, and 61-62 are pending. Claims 1, 4, 7, 10, 14, 18, 34, 37, 40, 57, 59, and 62 are independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

#### ***Claim Rejections - 35 U.S.C. §101***

Claims 7, 18, 40, and 62 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

Claims 7, 18, 40, and 62 have been amended as suggested in the Office Action. Applicants respectfully request that the §101 rejection of claims 7, 18, 40, and 62 be withdrawn.

#### ***Claim Rejections - 35 U.S.C. §102***

Claims 1-10, 13-14, and 17-18 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,909,457 to Fukasawa ("Fukasawa"). As applied to the claims as amended, Applicants submit the Examiner has failed to establish a *prima facie* case of anticipation and traverse the rejection.

In order to establish a *prima facie* case of anticipation under 35 U.S.C. §102, the cited reference must teach or suggest each and every element in the claims. *See M.P.E.P. §2131; M.P.E.P. §706.02*. Accordingly, if the cited reference fails to teach or suggest one or more claimed elements, the rejection is improper and must be withdrawn.

Independent **claim 1** recites:

A method for controlling an imaging device, in which a plurality of imaging devices are associated via a network to be operated, comprising:

transmitting photography notification data from one of said plurality of imaging devices to a desired imaging device among the plurality of imaging



devices by using a peer-to-peer communication system, to cause the desired imaging device to perform photography notification when causing the plurality of imaging devices to perform a photography operation,

wherein after the desired imaging device performs the photography notification and the photography operation, the imaging device that has transmitted the photography notification data to the desired imaging device receives, by using the peer-to-peer communication system, image data acquired by the desired imaging device.

Applicants respectfully submit that Fukasawa fails to teach or suggest all of the above limitations of independent claim 1.

Fukasawa is directed towards a camera control system which allows a user to cause a plurality of cameras to perform a linked operation. This is accomplished through the use of a linkage control server, which causes each of a plurality of camera servers to perform the linked operation. *See Abstract; col. 2, lines 13-17; col. 4, lines 10-18.* However, Fukasawa does not teach or suggest transmitting photography notification data from one of a plurality of imaging devices to a desired imaging device among the plurality of imaging devices *by using a peer-to-peer communication system*. Fukasawa is expressly directed to performing communications between the cameras through camera servers.

Therefore, at least because Fukasawa fails to teach or suggest each and every claimed element, independent claim 1 is distinguishable from the prior art. Claims 4 and 7 recite features comparable to that of claim 1 and are likewise distinguishable from the prior art. Dependent claims 2-3, 5-6, and 8-9 are also distinguishable from the prior art at least due to their dependence from claims 1, 4, or 7, directly or indirectly. Accordingly, Applicant respectfully requests that the rejection of claims 1-9 under 35 U.S.C. § 102(e) be withdrawn.

Independent **claim 10** recites a method for controlling an imaging device comprising, *inter alia*, receiving, by using a peer-to-peer communication system, a plurality of sets of image data acquired by a plurality of imaging devices; and collectively managing the plurality of sets of image data.



As previously discussed, Fukasawa is expressly directed to performing communications between the cameras through camera servers, and fails to teach or suggest receiving a plurality of sets of image data by using a peer-to-peer communication system.

Therefore, at least because Fukasawa fails to teach or suggest each and every claimed element, independent claim 10 is distinguishable from the prior art. Claims 14 and 18 recite features comparable to that of claim 10 and are likewise distinguishable from the prior art. Dependent claims 13 and 17 are also distinguishable from the prior art at least due to their dependence from claims 10 and 14, directly or indirectly. Accordingly, Applicant respectfully requests that the rejection of claims 10, 13-14, and 17-18 under 35 U.S.C. § 102(e) be withdrawn.

***Claim Rejections - 35 U.S.C. §103(a)***

Claims 11-12, 15-16, and 19-20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fukasawa in view of U.S. Patent Publication No. 2002/0154213 to Sibyama et al. ("Sibyama"). Claims 34, 36-37, 39-40, and 42 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fukasawa in view of U.S. Patent Publication No. 2002/0110370 to Nomura ("Nomura"). Claims 35, 38, and 41 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fukasawa in view of Nomura, and further in view of U.S. Patent No. 6,567,121 to Kuno ("Kuno"). Claims 57-63 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fukasawa in view of U.S. Patent No. 6,288,792 to Yoshida et al. ("Yoshida") and U.S. Patent No. 5,455,625 to Englander ("Englander").

Applicants submit the Examiner has failed to establish a *prima facie* case of obviousness and traverse the rejection.

For a 35 U.S.C. § 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142*. One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. 706.02(j)*. Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

Independent **claim 34** recites:



A method for controlling an imaging device, in which a plurality of imaging devices are associated via a network to be operated to acquire image data, the method comprising:

accepting, at a desired imaging device of the plurality of imaging devices, settings regarding a set storage destination of the image data acquired by each of the plurality of imaging devices;

receiving at the set storage destination, by using a peer-to-peer system, the image data acquired by each of the plurality of imaging devices; and

storing the image data acquired by each of the plurality of imaging devices in the set storage destination.

In this instance, the combination of Fukasawa and Nomura fails to teach or suggest each and every limitation of claim 34. As demonstrated above with respect to claim 1, Fukasawa is expressly directed to performing communications between cameras through the use of camera servers, and fails to teach or suggest receiving at a set storage destination, by using a peer-to-peer system, the image data acquired by each of the plurality of imaging devices, as recited in independent claim 34. The Nomura and Kuno references have not been, and indeed cannot be, relied upon to correct at least this deficiency of Fukasawa. Independent claims 37 and 40 recite features comparable to that of claim 34 and are likewise distinguishable from the prior art. Dependent claims 35-36, 38-39, and 41-42 are also distinguishable from the prior art at least due to their dependence from claims 34, 37, and 40, directly or indirectly. Therefore, Applicants submit that claims 34-42 are patentable over any combination of Fukasawa, Nomura, and Kuno and respectfully request that the rejection of claims 34-42 under §103(a) be withdrawn.

Independent **claim 57** recites:

A method for controlling an imaging device, in which a plurality of imaging devices, comprising clocks and attaching photography date/time data to image data acquired by photographing, are associated via a network to be operated,



wherein times indicated by the clocks of all the imaging devices are synchronized with a predetermined time, based on a predetermined operation by one of the plurality of imaging devices, by using a peer-to-peer system.

In this instance, the combination of Fukasawa, Yoshida, and Englander fails to teach or suggest each and every limitation of claim 57. As demonstrated above with respect to claim 1, Fukasawa is expressly directed to performing communications between cameras through the use of camera servers, and fails to teach or suggest synchronizing the clocks of all the imaging device with a predetermined time, based on a predetermined operation by one of the plurality of imaging device, by using a peer-to-peer system, as recited in independent claim 34. The Yoshida and Englander references have not been, and indeed cannot be, relied upon to correct at least this deficiency of Fukasawa. Independent claims 59 and 61 recite features comparable to that of claim 57 and are likewise distinguishable from the prior art. Dependent claim 61 is also distinguishable from the prior art at least due to its dependence from claim 59. Therefore, Applicants submit that claims 57-63 are patentable over any combination of Fukasawa, Yoshida, and Englander and respectfully request that the rejection of claims 57-63 under §103(a) be withdrawn.

### CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders Reg. No. 60,166 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.



Application No. 10/649,824  
Amendment dated March 4, 2008  
Reply to Office Action of November 5, 2007

Docket No.: 2091-0288P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: March 4, 2008

Respectfully submitted,

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